

Remarks/Arguments

Reconsideration of the above-identified patent application in view of the present amendment and the following remarks is respectfully requested.

Claims 1-18 are currently pending in the subject application, and are presently under consideration. Claims 5-18 have been canceled by this amendment. Accordingly, objections and rejections of claims 5-18 are now moot.

Claims 1-4 of the present application stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Pub. No. 2002/0185446 to Johnny ("Johnny"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 1 has been amended to make explicit that which was believed to be implicit. Amended claim 1 recites a control assembly for electrocoagulation cell comprising a plurality of electrodes. Releasable connection means are included between at least a selection of the electrodes. The connection means includes an elongate busbar which is arranged normal to respective top edges of each electrode in plan view and above the top edges. The elongate busbar extends through a notch, slot or aperture located in individual tabs which each extend upwardly from an adjacent top edge of each electrode. The busbar is spaced from the top edges of each electrode so as to avoid contact with liquid contained in the electrocoagulation cell in use as well as a plurality of fasteners attached to the busbar whereby each fastener abuts or is located closely adjacent to an adjoining surface of each electrode. Electrical connection means are attached to the busbar at each end thereof. The electrical connection means is connectable to a power supply.

Johnny does not anticipate amended claim 1. Johnny does not disclose releasable connection means between at least a selection of electrodes comprising an elongate busbar which is arranged normal to respective top edges of each electrode in plan view and above the top edges, as recited in amended claim 1. In rejecting claim 1, the Examiner contends that electrical connectors 30 and 32 read on the busbar recited in claim 1 (See Office Action, Page 2). Applicant respectfully disagrees. In contrast to the busbar recited in amended claim 1, the electrical connectors 30 and 32 disclosed in Johnny are not above top edges of electrodes. Instead, the electrical connectors 30 and 32 disclosed in Johnny appear to extend through apertures located in a body (i.e., interior) of the electrode plate 42, conducting spacers 36 and insulating spacers 37 (See Johnny, Par. [0076] and FIG. 8). Thus, Johnny does not disclose the busbar recited in amended claim 1.

Moreover, the busbar recited in amended claim 1 extends through a notch, slot or aperture located in individual tabs that extend upwardly from an adjacent top edge of each electrode. In rejecting claim 1, the Examiner fails to cite any structure or process that reads on the notch, slot or aperture located in individual tabs (through which the busbar extends) recited in amended claim 1. Applicant respectfully submits this is because nothing in Johnny discloses this feature of amended claim 1. In particular, electrodes 42 and 43 do not include a notch, slot or aperture, in contrast to the individual tabs that extend upwardly from an adjacent top edge of an electrode, as recited in amended claim 1. Thus, Johnny does not disclose the individual tabs that extend upwardly from an adjacent top edge of each electrode, as recited in amended claim 1.

For the reason stated above, Johnny does not disclose the releasable connection means recited in amended claim 1. Therefore, Johnny fails to disclose each and every element of amended claim 1. Accordingly, Jonny does not anticipate amended claim 1, and consequently, amended claim 1 is patentable.

Claims 2-4 depend either directly or indirectly from amended claim 1 and are not anticipated by the cited art for at least the same reasons as amended claim 1, and for the specific elements recited therein. Accordingly, claims 2-4 are patentable.

In view of the foregoing, it is respectfully submitted that the above-identified patent application is in condition for allowance, and allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

/Richard S. Wesorick/

Richard S. Wesorick
Reg. No. 40,871

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294